

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

DEC 13 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

LESLIE WESTFALL,

Defendant.

4:18CR1036 HEA/JMB

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with:
 - (a) an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (Title 21, United States Code, Section 801, et seq.), specifically Title 21, United States Code Sections 846(a) and 841(a)(1) and Title 18, United States Code, Section 922(g);
 - (b) an offense under Title 18, United States Code, Section 924(c) (possession of firearms in connection with drug trafficking crimes or crimes of violence), specifically Defendant knowingly and intentionally possessed a firearm in furtherance of a drug trafficking crime;

2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant as required, and the safety of any other person and the community;

3. Leslie Westfall represents a specific threat to the safety of law enforcement and the community. At the time of his arrest, he was found with a gun on his person. While being transported to jail, he told the arresting officer that he would have “popped” the officer had the officer not already had his weapon drawn when he approached Westfall.

3. There is a serious risk that the defendant will flee;

4. The defendant is a threat to the community.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant’s initial appearance.

Respectfully submitted,

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s/Jason S. Dunkel
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